

Annex B.

TERMS OF REFERENCE

Summary

	Quantitative & Qualitative Assessment of Residential Care Facilities in Myanmar
Title	Quantitative & Qualitative Assessment of Residential Care Facilities in Myanmar
Purpose	Collect baseline information to support the process of Child Care reform in Myanmar
Duration	5 months
Location	Myanmar
Start & End Date	From September 2018 to January 2019
Reporting to	Chief Child Protection/Child Protection Specialist - UNICEF Director General/Deputy Director General – DSW/MSWRR
Geographical boundaries of Study	Nationwide (all states and regions of Myanmar)

Background

Myanmar's 2014 Census Report records a national population of 51.4 million. Census data estimates the child population (18 and younger) as 34% of the overall country population. Approximately 15% of the living arrangements include children living with single parents and/or relatives. Although the country is showing signs of economic growth, poverty still remains a major problem. It is reported that around 16 million still live in poverty (88% in rural and 12% in urban areas) with children disproportionately affected. Informal kinship care, where families make their own arrangements for the short or long term care of their children without support from the Government or non-Governmental Organizations, is common. And like many countries in the region, the absence of a formal, family-based alternative care system has resulted in the growth of institutional care and orphanages as a commonly used safety net for children and families. Alternatives to residential care such as supported kinship care and a regulated foster care system do not exist in Myanmar. Adoption is rarely practiced and is not well regulated. This absence of options in Myanmar, combined with a lack of family support at community level leads to children being unnecessarily placed in institutional care. As of April 2018, approximately 21,551 children live in registered residential facilities, up from 12,000 in 2006. This number does not include unregistered orphanages, faith based institutions and monastic care facilities. While it is clear that some of these facilities are boarding schools rather than orphanages, little is known about the breakdown. The Department of Social Welfare of the Ministry of Social Welfare, Relief and Resettlement runs over twenty institutions in total – catering for a range of population groups under their remit, including abandoned infants, people with disabilities and vulnerable women. With the exception of 244 residential care facilities which are registered with the Department of Social Welfare by 2018 and a total of 377 unregistered residential facilities, no further data is available on the conditions, situation, or standards being applied in institutional care across Myanmar.

Justification

The current Myanmar's Child Law indicates under provision 12 of Chapter V that “every child: (a) shall have the right to live with and be brought up by both parents or any one parent if they are alive; (b) shall not be separated forcibly from his or her parents, except, in a case where in accordance with law, separation is necessary for the best interests of the child; (c) shall have the right to maintain contact on a regular basis with parents lawfully separated, if it is not prejudicial to the interests of the child; (d) has the right to guardianship in accordance with law, in respect of his person or property.”

The current law also identifies that the Ministry of Social Welfare, Relief and Resettlement (MSWRR) is mandated to provide care for a child in need of care as well as provide oversight in the provision of alternative care for children in Myanmar. The Government of Myanmar through the MSWRR also recognizes the United Nations Guidelines for Alternative Care of Children as a key international framework that informs its reform in childcare.

The United Nations Committee on the Rights of the Child, in its concluding observations on Myanmar (2012), expressed its concern about “the increase in the number of children in residential care facilities; the lack of regulation of private and religious organizations that run residential institutions for children; and reports of physical abuse of children in residential institutions”, and recommended actions for the Government of Myanmar to address the issue of children deprived of a family environment. Increased knowledge and data will allow the Government of Myanmar to take the necessary steps – in line with these recommendations - to develop a strategy for the deinstitutionalization of children and ensure that all residential institutions for children are registered, monitored their compliance with the minimum standards of care in child care facilities and officially authorized to exert as alternative care institutions.

In 2010/11, an assessment of the Situation of Children in Residential Care Facilities in Myanmar was conducted by DSW and UNICEF. The assessment covered 147 selected care facilities from different States

and Regions. The findings revealed that institutional (residential) care is not used as a last resort in Myanmar: three quarters of the children have one or both parents alive and more than half was brought to the facilities by their parents or relatives. Many other concerns were highlighted in the assessment regarding protection, safety, health, education and wellbeing of children in the residential care facilities, including religious/non-religious, faith based or non-faith based institutions.

In September 2017, with the support from UNICEF, the Department of Social Welfare officially launched the Minimum Standards of Care and Protection for all residential facilities (MSC) and the National Guidelines on Registration and the Support to Voluntary Organisations. This is considered a milestone in the alternative care agenda of the Government and an achievement from years of continued advocacy efforts by UNICEF and partners. The adopted MSC is expected to lay out the necessary foundation for better monitoring of child care facilities and improving the care and conditions of children living in these institutions. The next stage is for the Government and partners to ensure the implementation and enforcement of these standards.

Given the strong global evidences on the harmful impact of institutional care on children, the Department of Social Welfare and UNICEF aim to develop strong and appropriate evidence based alternative care programme to ensure that all children live in a safe and supported family environment. As such, the Department of Social Welfare and UNICEF seek the services of a consultancy institution (international or national) to undertake this assignment. The completion of this assignment will require the constitution of sub assessment teams working alongside each other and being deployed to different locations across the county for data collection. Each assessment team will include representatives from DSW Regional and NPT level, consultancy team and UNICEF occasionally. The engaged institution will assign data lead and data collectors who will work closely with the relevant assigned social welfare officers. The purpose of having social welfare officers participate in the assessment is to create ownership and strengthen the officers' capacity to undertake follow up routine monitoring of the identified indicators. The assessment will look into, among others: admission process, care provision, reintegration process, physical and legal condition of the home, follow up and exit plan. This information will serve as a qualitative and quantitative baseline for informing decision makers on relevant actions needed to reform the current child care and protection system in Myanmar. The study will also inform other institutional and non-institutional actors in programme designing in support to alternative care reform.

Overall Objectives

To collect qualitative and quantitative baseline information of residential child care institutions in Myanmar.

Specific Objectives

1. To gather disaggregated data on all forms of residential care (type, location, scope), the number of children living in those facilities (profile, gender, age, special needs, place of origin) as well as their situation of care and protection (nutrition, health, education, care, recreation, etc.);
2. To develop a comprehensive and standardized monitoring tool package, including a check list, that can be adopted by Ministry of Social Welfare, Relief and Resettlement for routine assessment of child care residential facilities;
3. To assess the gatekeeping, admission, care and reintegration/exit plan process employed by each child care facility;
4. To conduct the inspection of the conditions of children in institutions: living, nutrition, health service, education, complaints mechanism, recreation, etc.;

5. To provide clear benchmarks (indicators) and strategic recommendations to the Government through the Ministry of Social Welfare, Relief and Resettlement and stakeholders on protection of children living in institutions, the process of de-institutionalisation and to some extent the prevention of family separation;
6. To generate evidence for advocacy purposes with the Government and stakeholders in establishing more services for children to remain with their family, promoting family based alternative care options and the de-institutionalisation.

Methodology

The assessment will target a sample size of 250 (100 registered and 150 unregistered) residential facilities in Myanmar covering 15 States and Regions. (please see below table for locations of the facilities) Face to face interviews with key members of staff and with a randomly selected group of children and community members will be conducted using a standardized assessment tool. Interviews with community members aim to find out the community perceptions on alternative care, thus having better understanding of the existing practices of care for children without parental care. Interviews/focus group discussions with children shall be conducted in compliance with child protection policy and ethical principles on child participation in data collection processes. The institutional consultant will further be expected to conduct physical inspections of the facilities in the homes as well as case records on all the children. The methodology of the assessment will be further detailed by the consultant team.

State/ Region	Registered institutions	Non-registered institutions	Total
Kachin	6	15	21
Kayah	5	1	6
Kayin	2	9	11
Chin	8	4	12
Sagaing	6	7	13
Tanintharyi	3	7	10
Nay Pyi Taw	5		5
Pegu	2	14	16
Magway	4	3	7
Mandalay	6	7	13
Mon	2	1	3
Rakhine	5	7	12
Yangon	23	45	68
Shan	15	16	31
Ayeyarwaddy	8	14	22

TOTAL	100	150	250
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Ethical Considerations

Ethical clearance will be sought by the institutional consultant as well as identification of anticipated ethical issues throughout the assessment, as well as measures to be adopted to mitigate against these issues. The following principles shall be taken into consideration confidentiality, respect, beneficence and non-maleficence. The assessment sub-teams shall ensure that all respondents are well informed and appreciate the value of their participation in the assessment process. Informed consent will be obtained. In the case of children, informed assent and parental or caregiver's written consent should be obtained. The best interest of the child shall be a primary consideration.

Tasks and Expected Deliverables (Institutional Consultant)

Tasks	Expected Deliverables	Timeframe Estimated No of Days
Conduct home based desk review; conduct initial interviews and rapports with key actors (government counterparts and NGOs); develop inception report showing a clear conceptual framework for undertaking the assignment, methodology, highlighting ethical issues to be considered and measure that will be taken to address them, sample tools to be used as well as the road-map of the process with concrete timeline; present inception report to Multi-sectoral Taskforce for endorsement	Draft inception report (including desk review) PowerPoint presentation to be shared at the Multi-sector Taskforce	15
Finalization of inception report integrating feedbacks from task force members and prepare	Final inception report	3
Revise the draft tool for the assessment of all childcare facilities to ensure that the tool is comprehensive, user friendly, captures views from children and is consistent with national and international norms and standards as well as the UN guidelines on alternative care and captures adequate information about: <ul style="list-style-type: none"> The interviewees; The facility such as the physical address, legal status; Management of the facility; Type of infrastructure; Source of funds; Qualification of staff employed in the facility and their key role and responsibility ; Health, Safety and Nutrition standards; 	<ul style="list-style-type: none"> Finalised Assessment Tool (in English and Myanmar) Finalised Child friendly questionnaire (in English and Myanmar) 	4

Tasks	Expected Deliverables	Timeframe Estimated No of Days
<ul style="list-style-type: none"> Hygiene - Water and Sanitation facilities within the home; Food and Nutritional Intake of the children in the home; Educational and vocational Training Programmes available; Information on the number and type of children admitted; The admission processes followed; Availability of individual care plans; The type of care and reintegration processes applied; Protective measures in place in the facility; Complaints mechanisms available for children; <p>The tool should also capture recommendations to the facility and/or the MSWRR and partners.</p>		
Train data collectors including basic ethics training.	Trained data collectors/enumerators Training Report	7
Pre - test the Assessment Tool on a small sample of children's facilities within Yangon region	Report on the findings of the pretest assessment	3
Revise and finalize the Assessment Tool: based on findings from the pre- test, the institutional consultant will recommend edits, make the necessary improvements and finalize.	Assessment tool finalized	3
Develop and submit a detailed Implementation Plan (Assessment Plan) with clear timeline based on lessons learnt from pilot test in consultation with Department of Social Welfare (DSW) and with UNICEF	Implementation plan (Assessment Plan)	3
Institutional consultant liaise with DSW at NPT and state/regional level to receive an official permission/ethical clearance to conduct assessment in the field	Official permission/Ethical clearance approval	4
Conduct data collection in the Upper Myanmar using the Assessment tools	Original copies of completed assessment forms for all facilities	30
Data analysis and drafting of Interim Report on first round of assessment.	Draft Interim Report submitted	10

Tasks	Expected Deliverables	Timeframe Estimated No of Days
Submit and present the interim report of the facilities covered in the Upper Myanmar	Final Interim report presented to the Alternative Care Working Group in NPT	1
UNICEF and MSWRR in consultation with the Alternative Care Working Group review and provide feedback on the interim report, including organizing a one day consultation meeting in NPT	Interim report revised based on the comments received	5
Conduct data collection on the remaining facilities in the Lower Myanmar	Original copies of completed assessment forms of the remaining facilities	30
Data analysis and drafting of Assessment Report	Draft Assessment Report	10
UNICEF and MSWRR in consultation with the line ministries/departments and the Alternative Care Working Group to review and provide feedback on the draft report, including organizing a one day consultation meeting in NPT	Draft versions of the full and summary reports revised based on the with comments received	10
UNICEF and MSWRR to organize a meeting to validate the findings of the Assessment	Final comments and recommendations incorporated in the final reports	1
Finalize and submit the Assessment reports	Final Assessment Report, including a physical map of the child care facilities identified	5
Total days		144 days (approximately 5 months of working days)

The institutional consultant will meet with UNICEF and MSWRR a day after the completion of each milestone as indicated in the table highlighting the expected out puts. During the actual assessment the consultancy team will provide an update on how the assessment is progressing fortnightly.

The institutional consultant is expected to be comprised of international and national experts working closely together with the following role and responsibilities between the two key research experts:

- **International expert:**
 - Responsible of designing and developing the research protocol;
 - Designing and planning the assessment process;
 - Responsible of developing the assessment/monitoring tool package and respective training module;

- Conduct the orientation to members of the assessment teams on the assessment/monitoring tool package;
 - Accountable for the overall quality of data generation and analysis;
 - Responsible of writing up the final deliverables (final assessment report and executive summary, policy briefs, and PowerPoint presentations) ensuring necessary editing in English language.
- **National expert:**
- Conduct the TOT training for DSW staff and data collectors/enumerators involving in the data collection exercise;
 - Facilitate the communication and coordination with local authorities (village leaders, community leaders, religious leaders, etc.) and government departments at all level;
 - Along with International expert, responsible of the quality of data collection and analysis as well as the write up of the final report in Myanmar language;
 - Lead the assessment teams and join the field visits.

Quality Assurance and Management Arrangements

The consultancy team, composed of institutional consultant and international expert, will be supervised and guided by MSWRR and UNICEF. Terms of reference of both international and national expert will be developed and shared with inputs from UNICEF. A Steering committee led by MSWRR will be established to oversight the assessment. The committee will include representatives of Ministry of Religious Affairs, Ministry of Border Affairs, Ministry of Education, Ministry of Home Affairs and the Alternative Care Working Group (comprised of MSWRR, Terre des Hommes and UNICEF).

The Steering Committee will be responsible for reviewing the inception, interim and full assessment reports and validating the findings. The consultancy team will meet with the Alternative Care Working Group at the inception of the study and completion of each milestone as indicated in the tasks and deliverables table. In addition, the Ministry will need to nominate government social welfare officers to participate in the assessment. These social welfare officers will work closely with the institutional consultant as members of data collection teams.

Budget: Payment Schedule

Payment ¹	Conditions
Finalized Desk Review, Inception Report, Assessment Tools and delivered TOT on Assessment Tools	30%
Interim Assessment Report	30%
Final Assessment Report and Executive Summary, Policy Briefs and PowerPoint Presentations	40%

Qualification/Specialized knowledge and Experience

¹ In general, payments should be made against delivery of services / products. Advance payments on signature of contract are discouraged, and need to be explicitly justified.

Conducting an assessment of child care facilities requires specialised expertise. This coupled with the magnitude of the assignment at hand necessitates the recruitment of a specialised research institution through a consultancy contract.

The interested institution should demonstrate:

- Proven capacity to undertake a nationwide study in the social sector,
- Proven global expertise as part of the team,
- Strong track record of working with multiple stakeholders (including government, civil society organizations, grassroots organizations and children.
- Strong capacity to collect information from children using child friendly methodologies
- Strong capacity to facilitate meetings with various stakeholders
- Strong capacity to present and communicate the findings of the study to the various stakeholders
- Capacity to undertake a nationwide institutional assessments will be an added advantage.

The institution should further demonstrate the availability of a strong in-house research team from which a lead researcher and a minimum of two study team members will be nominated for the undertaking of this assignment. The lead researcher should hold a post-graduate degree in social work or other relevant field of study and should demonstrate at least 8 years experience and expertise in the social welfare sector. An understanding of the child welfare sector will be an added advantage. Strong leadership and teamwork skills will be key in the undertaking of this assignment.

Both the lead researcher and the study team members should demonstrate excellent data collection, qualitative and quantitative analysis and report writing skills.

The team will to the extent possible reflect a gender balance.

The research institution will work in close collaboration with the Department of Social Welfare at national, regional and district level as indicated earlier in these Terms of Reference.

Administrative Issues

The institutional consultant shall ensure the proposed budget reflects all costs that will enable them to undertake this assignment effectively e.g. DSA and transport during field work, stationary among others. The institutional consultant shall operate from their offices and shall use their own equipment during this assignment. UNICEF and MSWRR shall cover costs relating to the training and daily costs for Social Welfare officers on the assessment team. The consultants will be supervised by Chief Child Protection and the DYDG and Director of Social Welfare, with day to day coordination with Child Protection Specialist (Systems Strengthening) and Child Protection Officer.

Evaluation Process and Methods

Proposals will be evaluated by UNICEF committee. Technical and cost proposals will be evaluated separately. Each proposal will be assessed first on its technical merits (including by reference to legal requirements) and subsequently on its price. The proposal obtaining the overall highest score after adding

the scores for the technical and price proposals is the proposal that offers best value for money and will be recommended for award of the contract.

Technical proposal accounts for 70/100 whereas cost proposal accounts for 30/100 of the marks. Bidders will have to score at least 50 on the technical proposal to be considered further with the cost proposal

Evaluation Matrix

Category	Max. Points
1. Mandatory Requirements Submission of complete and signed proposal format (pp4 in RFP)	
2. Overall Response <ul style="list-style-type: none"> Understanding of, and responsiveness to, the requirements Understanding of scope and objectives Completeness of response Overall concord between the requirements and the proposal Proposed management arrangements 	5
3. Methodology <ul style="list-style-type: none"> Quality of proposed design and methodology and extent of alignment with requirements (5) Quality of proposed implementation plan (how, who, what, where, when?) (5) Recognition of direct/peripheral risks and measures to prevent and manage these (5) Articulation of ethical implications and mitigation strategies for the design and implementation of the study. (5) 	20
4. Proposed Team And Its Professional Orientation <ul style="list-style-type: none"> Team leader: relevant experience, qualifications, and position with institution (9) Team members: relevant experience of similar scope and complexity, professional expertise and knowledge (7) Structure of Management Team: Detailed resume of the proposed team for the assignment giving information about the following: (9) Title/Designation of each team member on the project, educational qualifications and professional experiences including information on their professional affiliations and certifications. Past experience in working on similar project and assignment and their roles on those projects 	25
5. Organisational Experience <ul style="list-style-type: none"> Organization background, profile, expertise of the Company detailing the general and specific experience in implementing similar assignments in the past; evidence could be in form of job completion certificate, contracts and or references. The submission should also include list of three similar assignment in terms of requirements and scope implemented in the past 5 years. (12) Financial statements (8) 	20
6. Price <ul style="list-style-type: none"> Overall Cost Unit Costs 	30
Total Marks	100

Commercial Proposal

All proposals must be in United States Dollar (US\$). Commercial proposal should provide detailed breakdown of the cost of each activity you have proposed for the implementation of your technical proposal

The contract will be a fixed lump sum contract therefore professional fees and all out of pocket expenses will be part of total price proposal

Commercial Proposal Evaluation:

The total amount of points allocated for the price component is 30. The maximum number of points will be allotted to the lowest price proposal that is opened and compared among those invited firms/institutions which obtain the threshold points in the evaluation of the technical component. All other price proposals will receive points in inverse proportion to the lowest price; e.g.:

**Score for price proposal X \equiv Max. Score for price proposal * Price of lowest priced proposal
Price of proposal X**

Total Technical and Price = 100 Pts

Note: Minimum qualifying marks are 50. In normal circumstances, only those offer that score minimum and above points on technical proposals will be considered for commercial evaluation. However, UNICEF reserves the right to evaluate all commercial offers and/or shortlist selected suppliers from among those who score minimum and above technical scores.

Other Terms and conditions

All individuals, particularly enumerators/ data collectors will be provided with training on ethical standards in research/assessment and data collection before going in the field to mitigate any potential ethical issues faced in the field and to have proper guidelines to respond.

Nature of Penalty Clause to be stipulated in the contract:

UNICEF Myanmar reserves the right not to pay the Contractor or withhold part of the payable amount if one or more requirements established for this assignment is not meeting the required quality standards or deadline set for the accomplishment of the tasks is missed.

Confidentiality:

The documents produced during the period of this consultancy will be treated as strictly confidential, and the rights of distribution and/ or publication will reside solely with UNICEF.

The contract signed with the firm will include the other general terms defined by UNICEF.